

ORDINANCE NO. 95-6

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 88-16, AS AMENDED BY ORDINANCE NOS. 89-3, 90-38, 92-14, 92-25, 93-1, AND 93-35; PROVIDING FOR CLARIFICATION OF THE CRIMINAL JUSTICE COMMISSION MEMBERSHIP; PROVIDING FOR REPEAL OF LAWS AND ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the State of Florida has created a Department of Juvenile Justice, new and separate from the Department of Health and Rehabilitative Services (HRS); and

WHEREAS, the Administrator of District 9 HRS has served as a member of the Palm Beach County Criminal Justice Commission since its inception; and

WHEREAS, the Criminal Justice Commission desires to benefit from the representation of juvenile justice issues and concerns as provided by the local Juvenile Justice Manager of the Florida Department of Juvenile Justice; and

WHEREAS, the Administrator of District 9 HRS has relinquished her seat on the Criminal Justice Commission in favor of the Juvenile Justice Manager.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. Section 1 of Ordinance No. 88-16, as amended by Ordinance Nos. 89-3, 90-38, 92-14, 92-25, and 93-1 and 93-35 is hereby amended to read:

There is hereby established an advisory commission to be known as the "Palm Beach County Criminal Justice Commission," herein referred to as the "Criminal Justice Commission." The Criminal Justice Commission shall be composed of the following membership from the private and public sector:

Public Sector Membership:

Chair or Commission member of the Palm Beach County Board of County Commissioners  
Palm Beach County Sheriff  
State Attorney, 15th Judicial Circuit  
Public Defender, 15th Judicial Circuit  
Clerk of the Palm Beach County Circuit Court  
Chief Judge, 15th Judicial Circuit  
Administrative Judge, Juvenile Division, 15th Judicial Circuit  
Supervisory Special Agent, Federal Bureau of Investigation, West Palm Beach  
Senior Agent, Drug Enforcement Administration, West Palm Beach  
Member, Palm Beach County School Board  
Member, Palm Beach County Legislative Delegation  
Member, Municipal League of Palm Beach County  
~~Administrator, District 9, HRS~~  
District 9 Juvenile Justice Manager, Florida Department of Juvenile Justice  
President, Police Chiefs' Association  
Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, West Palm Beach Field Office, U.S. Treasury Department  
Chief, West Palm Beach Police Department  
Circuit Administrator, Florida Department of Corrections, 15th Judicial Circuit  
Supervisory Special Agent, Florida Department of Law Enforcement  
President, Crime Prevention Officers' Association  
United States Attorney, Southern District of Florida or Assistant U.S. Attorney, West Palm Beach  
Member, Palm Beach County Association of Criminal Defense Lawyers

Private Sector Membership:

Twelve (12) persons nominated by the Palm Beach County Economic Council, but not necessarily members of the Economic Council, and confirmed by the Board of County Commissioners of Palm Beach County, Florida, which persons shall be representative of all segments of Palm Beach County.

The terms of the members representing the Board of County Commissioners, the School Board, the Legislative Delegation, and the Municipal League shall be for a period of two (2) years. The remaining public sector members' term of membership will be for the duration of their position entitling them to sit as a member of the Criminal Justice Commission. ~~The initial private sector members, as set forth in Exhibit A, shall be divided into three (3) groups of four (4), with each group designated to serve staggered terms of one (1), two (2), and three (3) years and, thereafter, shall serve for a term of three (3) years.~~

Private sector members shall be appointed for a three-year term, with said term commencing on January 1st of the first year of appointment and expiring on December 31st of the third year. Terms of private sector members are staggered such that the members are divided into three (3) groups of four (4).

All members of the Criminal Justice Commission shall be electors of Palm Beach County, Florida. Appointed members of the Criminal Justice Commission shall serve at the pleasure of the appointing body.

#### SECTION 2. Repeal of Ordinances in Conflict

All ordinances in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

#### SECTION 3. Severability

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

SECTION 4. Inclusion in the Code of Laws and Ordinances

The provisions of this ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION 5. Effective Date

The provisions of this ordinance shall become effective upon receipt of acknowledgement from the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 21st day of March, 1995.

DOROTHY H. WILKEN, CLERK  
Board of County Commissioners  
By Dorothy H. Wilken  
DEPUTY CLERK

PALM BEACH COUNTY, FLORIDA,  
BY IT'S BOARD OF COUNTY  
COMMISSIONERS

By Karen Post  
Chair

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

James L. Calarco  
County Attorney

Acknowledgement by the Department of State of the State of Florida, on this, the 30th day of March, 1995.

EFFECTIVE DATE: Acknowledgement from the Department of State received on the 3rd day of April, 1995, at 3:41 P.M. and filed in the Office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

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STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on 3/21/95

DATED at West Palm Beach, FL on 4/5/95  
DOROTHY H. WILKEN, Clerk  
By Phyllis A. House D.C.